

Bay Area cement company given deadline to fix safety violations

The Lehigh quarry in Cupertino has 30 days to fix environmental and safety violations — first noted in 2006 — or it will no longer be qualified to supply government-funded projects.

Louis Sahagun, Los Angeles Times, 8-1-11

CUPERTINO -- State authorities have issued an ultimatum to the oldest cement manufacturer in California, amid growing concern over safety violations.

Lehigh Southwest Cement Co. of Cupertino, which produces half the cement used in the Bay Area each year, has until Aug. 20 to resolve regulatory violations first noted in 2006 or it will be taken off a list of quarries qualified to sell products to government-funded projects, according to the state Office of Mine Reclamation.

The line drawn in the gravel of this community of 58,000, about 45 miles south of San Francisco, divides a politically connected mining operation founded in 1939 from a more recent crop of engineers, computer scientists and environmentalists concerned about pollution emitted from the quarry.

Lehigh officials insist the facilities are safe, in full compliance with state and county regulations, and outfitted with safeguards to reduce emissions of toxic pollutants including mercury. They also warn that the state's action threatens the continued operation of the quarry and the livelihoods of hundreds of people.

Lehigh's proposal to open a second quarry has been bitterly opposed by local residents who fear that it would add pollution to the atmosphere and water, reduce property values and diminish the quality of life.

Yielding to public pressure, the company last year installed a system in its cement plant that reduced mercury emissions by 90%, in part by recycling the heavy metal into cement products. "The mercury levels are extremely low and safe," said Tim Matz, corporate director of environmental affairs for Lehigh. He also noted that "the system has been approved by the U.S. Environmental Protection Agency."

Quarry opponents say the Santa Clara County Board of Supervisors, the lead regulatory agency in the matter, has been hesitant to take action against Lehigh, which employs about 150 people and produces 70% of the cement used in the county each year. Past projects supplied by Lehigh have included the San Jose airport and Bay Bridge reconstruction.

The county had given the company until June 2012 to develop a reclamation plan that would resolve five-year-old violations, including failure to properly stabilize pit slopes, and conducting surface mining and dumping outside of designated boundary lines.

"We were appalled by the failure of the county to enforce the law against this company," said Cupertino resident Richard Adler, a researcher in aging and healthcare. "So we launched an online petition demanding that the state reclamation office finally take Lehigh off the list of mining operations in good standing with the state."

Every time a person added their name to the petition, a computer program designed by the advocacy organization Change.org automatically sent copies of the document to 17 targeted state officials.

An avalanche of petitions overwhelmed state mining authorities.

"I've received more than 23,000 copies of the same petition letter from quarry opponents, so I know they're passionate folks," said Jim Pompy, assistant director of the Office of Mine Reclamation. "But at the same time, Lehigh produces a very important resource for the entire Bay Area, so a lot of careful thought went into the notice we sent the company on July 20."

The quarry is an open-pit operation on a mountain south of Cupertino. Each day, tons of limestone is mined, crushed, blended, melted and heated to produce cement.

Matz, the company's environmental affairs director, said he was "surprised" by the 30-day notice. "It definitely could have an impact on us," he said. "A lot of our projects are government projects."

Last week, a few dozen opponents gathered in Rancho San Antonio in Cupertino to celebrate the state's action.

"Something major has happened and we all deserve credit for it," Adler told the crowd. "We found out about something that was really wrong, we spoke up about it, and got results."